

**REMARKS**

The above-identified application is United States application serial number 10/656,501 filed on September 4, 2003. Claims 1-20 are pending in the application. Claims 1-20 are rejected.

**Rejection of Claims Under 35 USC § 112(b)**

Claims 1-14 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant has amended the claims to correct relative terms presented without basis for comparison.

**Rejection of Claims Under 35 USC § 102**

Claims 1-14 are rejected under 35 U.S.C. §102(b) as being anticipated by Bergeson (U.S. Patent No. 2,823,880). Applicant has amended the claims to distinguish over Bergeson, which does not disclose a controller "configured to transfer fuel among the plurality of fuel tanks to position the aircraft center-of-gravity in a relatively aft position when the flight parameter is indicative of supersonic flight whereby sonic boom is reduced" or "configured to transfer fuel among the plurality of fuel tanks to position the aircraft center-of-gravity in a relatively aft position when the flight parameter is indicative of supersonic flight whereby lift distribution is modified and sonic boom is reduced."

**Rejection of Claims Under 35 USC § 103**

Claims 15-20 are rejected under 35 U.S.C. §103(a) as being unpatentable over Underwood (U.S. Patent No. 2,755,046) in view of Bell (U.S. Patent No. 5,321,945). Applicant has amended the claims to distinguish over Underwood in view of Bell, which do not disclose a "computer adapted to respond to the flight parameter to operate the control effectors and transfer fuel among the plurality of fuel tanks to adjust aircraft trim and center of gravity position and operate the aircraft in at least two flight modes, the flight modes including a reduced sonic boom mode wherein center of gravity is positioned relatively aftward."

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**CONCLUSION**

Applicant believes the application, including all current claims 1-20, is in form for allowance and a notice to that effect is solicited. No new matter has been added. In the event it would facilitate prosecution of this application, the Examiner is invited to telephone the undersigned at (949) 251-0250.

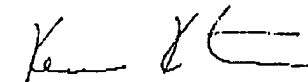
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(Signature)

Ken J. Koestner  
(Printed Name of Person Signing Certificate)

December 10, 2004  
(Date)

Respectfully submitted,



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